



Ifu

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Application

Inventor: Kyle Marvin

Appln. No.: 10/776,435

Confirm. No.: 2900

Filed: February 11, 2004

Title: SYSTEMS AND METHODS FOR A
COMMON RUNTIME CONTAINER
NETWORK

PATENT APPLICATION

Art Unit: 2122

Examiner: To be assigned

Atty. Docket No.: BEAS-01399US2

Customer No. 23910

CERTIFICATE OF MAILING UNDER 37 CFR §1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on the date shown below.

By: Mathew Otts
Mathew Otts

Dated: May 17+6, 2005.

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.56

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 CFR §1.56. If this is a continuation, divisional or continuation-in-part application, it is understood that the Examiner will consider all information which was considered by the Office in a parent application. MPEP §609. Such information therefore is not listed herein unless it is desired that the information be printed on a patent issuing from the subject application.

Enclosed with this statement are the following:

- ✓ Form PTO-1449. The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.
- ✓ Copies of cited U.S. patents and publications are not enclosed. However, copies of cited foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98(a)(2), as required, except for those items designated by an asterisk (*), which were previously submitted by the applicant in a parent application, from which benefit under 35 U.S.C. §120 is claimed, with an *Information Disclosure Statement* submitted in the parent application which complies with the September 8, 2000 or subsequent revision of 37 C.F.R. §1.98(a-c), as allowed under 37 C.F.R. §1.98(d)(1).

This statement should be considered because:


☒ **37 CFR §1.97(b).** This statement qualifies under 37 CFR §1.97, subsection (b) because:

- (1) It is being filed within three months of the filing date of an application other than a continued prosecution application under §1.53(d);
-- OR --
- (2) It is being filed within 3 months of entry of a national stage;
-- OR --
- (3) It is being filed before the mailing date of the first Office Action on the merits,
-- OR --
- (4) It is being filed before the mailing date of the first Office Action after the filing of a Request for Continued Examination under 37 CFR §1.114.

☒ **Fee Authorization.** The Commissioner is hereby authorized to charge underpayment of any additional fees or credit any overpayment associated with this communication to Deposit Account No. _____.

Respectfully submitted,

Date: 5/17/05

By: 
David T. Xue
Reg. No. 54,554

FLIESLER MEYER LLP
Four Embarcadero Center, Fourth Floor
San Francisco, California 94111-4156
Telephone: (415) 362-3800
Facsimile: (415) 362-2928
Customer No. 23910

FORM PTO-1449
(Substitute)



US DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

Attorney Docket Number
BEAS-01399US2

Serial No.
10/776,435

**INFORMATIONAL CLOSURE CITATION
BY APPLICANT**

Applicant
Kyle Marvin

Filing Date
February 11, 2004

Group Art Unit
2122

U.S. PATENTS

Examiner Initial		Patent Number	Issue Date	Name	Class	Subclass	Filing Date
	1.	5,862,327	1/19/1999	Kwang			
	2.	5,950,010	9/7/1999	Hesse			
	3.	6,023,722	2/8/2000	Colyer			
	4.	6,067,548	5/23/2000	Cheng			
	5.	6,141,686	10/31/2000	Jackowski			
	6.	6,282,711	8/28/2001	Halpern			
	7.	6,230,309	3/8/2001	Turner			
	8.	6,222,533	4/24/2001	Notani			
	9.	6,237,135	5/22/2001	Timbol			
	10.	6,324,681	11/27/2001	Sebesta			
	11.	6,349,408	2/19/2002	Smith			
	12.	6,393,605	5/21/2002	Loomans			
	13.	6,549,949	4/15/2003	Bowman-Amuah			
	14.	6,721,747	4/13/2004	Lipkin			

U.S. PATENT PUBLICATIONS

Examiner Initial		Patent Application Publication Number	Publication Date	Applicant
	15.	2003/0046266	3/6/2003	Mullins

FOREIGN PATENT DOCUMENTS

Examiner Initial		Document Number	Publication Date	Country	Translation	
					Yes	No
	16.	WO 01/90884 A2	11/29/2001	PCT	✓	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	17.	Marcello Mariucci, "Enterprise Application Sever Development Environments," University of Stuttgart, Overview, 10 October 2000, pg. 1-10.
	18.	Sun Microsystems, "IPlanet Application Server 6.0 White Paper," Technical Reference Guide, 25 May 2000, all, fig. On pg. 20.
	19.	Roman, Ed. And Rickard Oberg, "The Technical Benefits of EJB and J2EE Technologies over COM+ and Windows DNA," December 1999, pp 3-5, fig. 1.

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if references considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

NonAsterisked Items: Copies not submitted because they were submitted in prior application, filed, and relied upon under 35 USC §120.

FORM PTO-1449 <i>(Substitute)</i> US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION BY APPLICANT	Attorney Docket Number	Serial No.
	BEAS-01399US2	10/776,435
	Applicant	
	Kyle Marvin	
	Filing Date	Group Art Unit
	February 11, 2004	2122

	20.	Hewlett-Packard, "HP Application Server," Technical Guide, version 8.0, 1999-2001, all.
	21.	Duvos, E. and Besavos, A., "An Infrastructure for the Dynamic Distribution of Web Applications and Services," Dept. of Computer Science, Boston University, December 2000, pp 4-12.

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if references considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
NonAsterisked Items: Copies not submitted because they were submitted in prior application , filed , and relied upon under 35 USC §120.	